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MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

SAN ANTONIO, TEX.

Tuberculosis—Licensing of Hospitals, Sanatoria, Boarding Houses, and Other Places Receiving Persons Suffering from. (Ord. Sept. 27, 1915.)

SECTION 1. *Definition of pulmonary tuberculosis.*—For the purposes of this ordinance, no person shall be considered as suffering from pulmonary tuberculosis whose sputum for three successive examinations, not less than four days apart, shall be free from tubercle bacilli.

SEC. 2. *Permit required for housing and lodging persons suffering from tuberculosis.*—No person, association of persons, firm, or corporation shall keep, or cause to be kept, any hospital, sanitarium, hotel, boarding house, rooming house, or any other place at which any person or persons suffering from pulmonary tuberculosis is or are housed, lodged, roomed, or boarded within the corporate limits of the city of San Antonio, without having first obtained a permit, as hereinafter provided, to keep, or cause to be kept, such hospital, sanitarium, hotel, boarding house, rooming house, or other place.

SEC. 3. *Places established when ordinance becomes effective have 10 days to procure permit.*—Any person, association of persons, firm, or corporation already keeping, or causing to be kept, such place or places as defined in section 2 of this ordinance, shall have 10 days only, after this ordinance becomes effective, within which to apply for and obtain the permit herein provided for.

SEC. 4. *Written application for permit must be made; its particulars.*—Any person, association of persons, firm, or corporation desiring to keep, or cause to be kept, any place or places, such as defined in section 2 of this ordinance, or who may be keeping, or causing to be kept, any such place or places when this ordinance becomes effective, shall make application in writing therefor to the board of health of the city of San Antonio, setting out in the said application specifically the location of the property in which each such place is kept or is caused to be kept, or is intended to be kept or caused to be kept, together with the name and resident address of the owner or proprietors thereof; which application shall also contain an agreement that all the premises in which such place or places is or are actually kept, or is or are proposed to be kept, may at any and all times be inspected by any member of the board of health of this city, or the city health officer of this city, or any officer in the health department of this city, who may be thereunto duly authorized by the city health officer of this city; and that such applicant will comply with and obey all rules and regulations made by the board of health of the city of San Antonio pertaining to the subject of this ordinance.

SEC. 5. *Permits may be refused or granted by commissioners; procedure.*—The board of health of this city shall examine into the facts of such applications, and shall report in writing the results of such investigations, together with its reasons for suggesting a granting or refusal of the permits so applied for to the commissioners of this city; and the commissioners, after due consideration of all such matters, shall grant or refuse any of such applications for permits, as, in its discretion, may seem for the best interests of the public.

SEC. 6. *Life of permit one year and nontransferable.*—The permits issued under the provisions of this ordinance shall endure for one year only, and shall begin on the 1st day of January and shall expire on the 31st day of December, and such permits shall be nontransferable.

SEC. 7. *Applications for new permits; same procedure.*—Applications for new permits shall be made in like manner and under the same conditions as those made for the original or first permit.

SEC. 8. *Places having permits must advertise as taking persons suffering from tuberculosis.*—No person, association of persons, firm, or corporation, being granted and accepting the permit hereinbefore provided for, shall hold himself, themselves, or itself out at any time as housing, lodging, rooming, or boarding only persons of sound health, but, on the contrary, it shall be their several duty to advertise and hold themselves out at all times as housing, lodging, rooming, or boarding persons suffering from pulmonary tuberculosis.

SEC. 9. *List of persons having permits to be posted for public inspection.*—The board of health of this city shall keep a complete list of all persons, associations, firms, and corporations securing permits as in this ordinance provided, and such list shall be posted in a conspicuous place in the office of the health department of this city, and such list shall be subject to public inspection at all times during office hours.

SEC. 10. *Unlawful to make false statements to get lodging for persons suffering from tuberculosis.*—It shall be unlawful for any person suffering from pulmonary tuberculosis to make personally or through any person acting for him, and it shall likewise be unlawful for any person acting for another, to make any false statement or representations for the purpose of concealing the fact of such disease, and whereby such person suffering from pulmonary tuberculosis gains lodgment, room, or board in any hospital, sanitarium, hotel, boarding house, rooming house, or any other place not kept, or caused to be kept, under the authority of the permit hereinbefore provided for.

SEC. 11. *Unlawful to take persons suffering from tuberculosis, except at places having permits.*—It shall be unlawful for any person, association of persons, firm, or corporation, keeping, or causing to be kept, any hospital, sanitarium, hotel, boarding house, rooming house, or any other place, without having the permit herein provided for, or for any person acting for him, them, or it, to knowingly receive and house, lodge, board, or room any person suffering from pulmonary tuberculosis.

SEC. 12. *Penalty, fine.*—Any person, association of persons, firm, or corporation violating or failing to comply with any of the provisions of this ordinance hereinbefore set out shall be fined in any sum of money not less than \$2 or not more than \$200, and each day's violation of or failure to comply with any of the provisions of this ordinance hereinbefore set out shall constitute a separate and distinct offense.

SEC. 13. *Penalty, forfeiture of permit.*—The conviction of any person, association of persons, firm, or corporation for a failure to comply with or for a violation of any part of the provisions of this ordinance shall immediately and automatically work a forfeiture of such permit granted to him, them, or it. And if such conviction be of any agent, servant, or employee of such person, association of persons, firm, or corporation, then, nevertheless, such permit granted to him, them, or it shall, in like manner, be forfeited.

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SEC. 15. *City health officer required to prosecute under State law, as well as under ordinance.*—In conformity with the * * * laws of this State it is hereby especially made the duty of the city health officer and all health officers under his direction to require and enforce compliance by all persons with the requirements and regulations made by or under the * * * State laws, as well as this ordinance and the rules of the board of health of this city, and for every violation of the same, or any of the same, to make complaint before the proper officer and to assist in the prosecution of each such offense.

SEC. 16. *If any part of ordinance invalid, such defect to extend only to that part.*—In the event any part or provision of this ordinance shall be found to be in conflict with any law of this State or be for any reason void or unenforceable, such defect shall extend only in so far as to avoid such conflict or other objection and shall not invalidate any other provision of this ordinance; the commissioners hereby declare that they would have passed each part, phrase, application, and provision of this ordinance independently of any other part, phrase, application, or provision thereof which might in any event be held invalid or unenforceable.

Junk—Receiving of, from Children in Exchange for Candy Prohibited. (Ord. July 26, 1915.)

That the barter or sale by any person of any candy or sweetmeats carried in vehicles upon the streets or other public places of this city or carried upon the streets or other public places of this city without the aid of any vehicle, such barter or sale being transacted directly or indirectly with any child or children of the ages of 16 years or under, and such barter or sale being for rags or bones or bottles or any junk or trash, be, and the same is hereby, prohibited and declared to be an offense, the conviction of any person for which shall be punishable by a fine of not less than \$5 nor more than \$200.

Milk—Registered Milk—Tuberculin Test—Fee for Permit—List of Veterinarians—Penalty. (Ord. June 24, 1915.)

That an ordinance ¹ entitled "An ordinance regulating the production, making, manufacture, care, delivery, and sale of registered milk or cream, pasteurized milk or cream, cream, milk, skimmed milk, and buttermilk within the limits of the city of San Antonio," passed and approved December 14, 1914, be so amended in the portions thereof hereinafter specified, as hereafter to read as follows, to wit:

That the first paragraph next under the heading of "Definitions" in section 1 of said ordinance be so amended as hereafter to read:

The term "registered milk" as used in this ordinance shall be understood as meaning raw, clean milk taken from healthy cows, such healthiness to be determined by a veterinarian approved by the board of health of this city, and from dairies which score 80 or over on the official score card of the United States Department of Agriculture. And the milk shall be cooled immediately after taking from the cows to 50° F. or lower and shall immediately be put in sterilized containers and sealed in such containers for delivery to the consumer. The milk shall contain not more than 75,000 bacteria per cubic centimeter and shall be free from pathogenic bacteria. And all such milk shall be delivered to the consumer not later than 24 hours after the milking thereof. And the term "registered cream" as used in this ordinance shall include the definitions of "registered milk," above given, and of "cream," given below.

That the definition of the term "milk," under subdivision "h" thereof and in section 1 of said ordinance, be so amended as hereafter in said subdivision to read:

(h) Shall not contain bacteria of any kind in excess of 100,000 per cubic centimeter.

That section 3, "fee for permit," of the said ordinance be so amended as hereafter to read:

SEC. 3. Fee for permit.—A fee of \$1 shall be paid to and collected by the secretary of the board of health of this city for each permit issued by it under the provisions of this ordinance.

That section 7, "certificate of tuberculin test also to accompany such application for permit," of the aforesaid ordinance, be so amended as hereafter to read:

¹ Reprint No. 273 from the Public Health Reports, p. 321.